

PLAN / PROGRAM SUMMARY

Program Plan Title: Federal Facility Agreement & Consent Order (FFACO)

Type: State/Federal “Cleanup” Agreement

Contact Information:

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Program Plan Description: The FFACO provides a detailed process (Plan) for identifying sites with potential historic contamination, implementing state-approved corrective actions, based on public health and environmental considerations, and instituting closure actions for remediated sites. The program focus is on contamination located on DOE controlled lands in Nevada, e.g., the Nevada Test Site (NTS), and portions of the Nellis gunnery and bombing range. (Note: contaminated soils and groundwater on DOE controlled lands resulted from years of nuclear testing, various research and development projects and radioactive waste disposal programs. The types of activities that led to the existing contamination could be categorized as follows:

- Atmospheric Nuclear Testing
- Underground Nuclear Testing
- Safety Tests and Cratering Events
- Nuclear Rocket Development and other R&D Programs
- Disposal of Radioactive Waste (in shallow landfills, subsidence craters, and in greater confinement disposal shafts)

Geographic Scope: Federal facilities referred to as the Nevada Test Site (NTS), parts of the Tonopah Test Range (TTR), parts of the Nellis Air Force Range, the Central Nevada Test Area, and the Project Shoal Area near Fallon, Nevada.

Legislative Authority and /or Administrative Policies: The FFACO is supported by various authorities including the Solid Waste Disposal Act, which includes both RCRA and the Hazardous and Solid Waste Act; Chapters 444, 445, and 459 of the Nevada Revised Statutes (NRS) including the Nevada Water Pollution Control Law, NRS 445A.300 et seq., the Nevada Hazardous Waste Law, NRS 459.400 et seq., Chapters 444, 445, and 459 of the Nevada Administrative Code (NAC), the Nevada Administrative Procedure Act, NRS Chapter 233B.,

Planning/Guiding Principal:

Ensure the protection of health and safety of NDEP personnel, site workers and any members of the public during corrective action activities;

Ensure that all elements of site investigations and corrective actions are subject to a public involvement process;

Demonstrate that corrective actions have achieved the degree of closure defined as acceptable in approved corrective action plans.

Cooperating Agencies: US Department of Energy and the U.S. Department of Defense

Participating Stakeholders: NTS Community Advisory Board and interested members of the public.

Review/Approval Process: Ongoing.

Date Initiated: March 15, 1996

Planning Process & Data Collection: Ongoing with quarterly and annual reviews

Public Communication and/or Participation Process: The FFACO process actively seeks public input concerning DOE and DoD activities undertaken through the FFACO “cleanup agreement.” Special attention is also given to DOE’s chartered Community Advisory Board. Examples of public process “objective” include: Identifying and considering the public's concerns, needs, and values prior to making decisions; providing an outline of activities and materials which offer accurate, timely, and understandable information to stakeholders (including the general public); fulfilling all applicable state and federal regulatory requirements regarding public involvement; and planning public involvement activities to reflect current schedules and priorities contained in the FFACO agreement.

Data Types Required and Used: A process is in place that allows for quality-assured results from sampling and monitoring identified at Corrective Action Units (CAU). Federal agencies also make available existing quality-assured data from sampling, tests, and other activities. NDEP can inspect and obtain copies of records, files, photographs, documents, and other materials pertaining to work undertaken, or planned to be undertaken at a given CAU sites.

Funding Sources: The U.S. Department of Energy and the U.S. Department of Defense.

Note: Detailed information about the FFACO process is available on the World Wide Web at:
<http://www.state.nv.us/ndep/boff/ffco.htm>